

## **B. Collection of Information Employing Statistical Methods**

### **1. Universe**

#### **Survey of Jails in Indian Country**

The universe for the Annual Survey of Jails in Indian Country (SJIC) includes all Indian country confinement facilities, detention centers, and other correctional facilities operated by tribal authorities or the Bureau of Indian Affairs, U.S. Department of the Interior. BJS has conducted the SJIC annually since 1998, excluding 2005 and 2006. Newly constructed jails are identified through the Bureau of Justice Assistance's Correctional Facilities on Tribal Lands program, as well as through informal means such as internet searches, Google alerts and word-of-mouth from established respondents.

As of 2017, BJS's roster of Indian country jails consisted of 91 operational and inactive facilities. The number of operating facilities in 2017 was 84, up from 68 in 2004. During the 13-year period, the survey universe has changed due to facility closures, new construction, facility mergers, and changes in facility operational status. Since tracking operational status starting in 2004, 12 facilities were closed, not operating, or out of scope, and 5 facilities were added to the universe, resulting in a survey universe of 84 facilities. BJS received responses from 76 facility administrators in 2017, for a 90% response rate. See the *Jails in Indian Country* report series available at <https://www.bjs.gov/index.cfm?ty=pbse&sid=32> for year-to-year comparisons of the SJIC universe.

Sampling from this universe would not be practical given the small total number of jails and the variety of purposes for which these facilities hold offenders, which range from short-term holding to the longer incarceration of persons convicted of misdemeanors with sentences usually of a year or less. With the passage of the Tribal Law and Order Act (TLOA) of 2010, expanding tribal court sentencing authority could result in offenders serving potentially longer sentences (up to 3 years per offense and up to 9 years per multi-offense case) in Indian country correctional facilities. Additionally, producing a representative sample would be impractical considering jails in Indian country may be unique to tribal criminal codes and traditions, and many jails in Indian country are not operated based on county location, but by tribal affiliation. For example, the Navajo Nation operates 9 facilities located in Arizona and New Mexico with five total respondents. Given the high response rate for the SJIC, it is most practical to continue to collect SJIC as a census.

### **2. Procedures for Information Collection**

The reference date for the SJIC is the last weekday in June of each year. Prior to receiving the survey form (Attachment A), the respondents are called by the BJS SJIC data collection agent to verify facility operational status and point-of-contact (Attachment B). They then receive a survey form by email, along with a notification letter explaining the survey collection and thanking them for their commitment to the survey (Attachment C). Respondents are asked to complete the survey within 30 days after receipt of the survey instrument. After the deadline passes, BJS's data collection agent begins an intensive effort to encourage response, including repeated emails (Attachment D), and telephone contacts to nonresponding facilities. Emails often include a new copy of the survey instrument or ask the contact to call the SJIC hotline to complete the survey

over the phone. Comparisons of response timing in previous collection years indicate that emails were far more effective at receiving quick response than telephone contacts. The final report *Jails in Indian Country*, will be issued annually in the summer of the following year.

Given the relatively small jail universe and potential BJS start-up and maintenance costs to collect data via a web-based platform, the SJIC will continue to be distributed via paper survey as its primary collection mode. However, some jails have utilized the fillable PDF option and emailed their file to BJS's data collection agent. BJS plans to encourage this collection mode over the next three-year period. As with previous iterations, SJIC respondents can submit data by mailing their reply, by fax, by telephone, or by completing a fillable PDF and emailing the file.

### 3. Methods to Maximize Response

BJS has consistently maintained high rates of response to the SJIC, typically between 90% and 100% survey response and item response rates. It should be noted that the SJIC is a voluntary collection, and BJS believes that efforts to minimize the reporting burden have been integral to achieving the high rates of response. In the 2013 SJIC OMB clearance cycle, BJS eliminated a number of survey items for which the data quality was questionable, including inmate housing characteristics and the number held (e.g., single occupied cells or rooms, multiple occupied units originally designed for single occupancy, etc.), whether or not the jail facility was under a court order or consent decree, number of male and female correctional staff employed by the facility and their occupation status (i.e., payroll staff, nonpayroll, or contract nonpayroll staff), and the number of jail operation employees hired and separated from employment and vacant positions. This resulted in a significant reduction in respondent burden of approximately 20 minutes per facility and the extra effort in the form of data validation and revision, as the eliminated items required nearly 3 times as much revision as the items that were retained.

The SJIC data collection plan allows for the jail respondents to submit data by mailing their reply, by fax, by telephone response, or by fillable PDFs. Follow-up telephone calls and emails to non-respondents are planned to encourage a 100% response rate in the next three years. The response rate for the SJIC in 2016 was 94% and 90% in 2017.

### **Nonresponse Adjustments**

Typically, the unit and item response rates for the survey are between 90% and 100%. In the event of unit non-response, data are imputed in order to calculate aggregate national jail population counts. Typically, unit non-response imputations for the midyear jail population, average daily population (ADP), peak population in the month of June, and the number of admissions during the month of June are substituted by using the data from the most recent year reported. Also, in some cases facilities respond to the survey, but do not report on every item. For example, a facility may report their midyear and ADP, but not their peak population. In order to estimate an aggregate national count, the peak population imputed value for that facility is based on their midyear or ADP, whichever is greater.

Prior to the 2014 *Jails in Indian Country* report, data on inmate demographic characteristics, conviction status and offense, and facility staff characteristics were not estimated for non-response, but were analyzed based only on reported data. Starting in 2014, BJS estimated data for these populations and produced aggregated national estimates for previous years. Estimation

procedures were based on the most recent reported data, or the ratio of the total number of inmates in their jail at midyear to the most recent reported number of inmates by the inmate/staff demographic or characteristic. For an example, detailed estimation procedures by year are available in table 8 in *Jails in Indian Country, 2016*.

#### 4. Test of Procedures or Methods

In April 2020, BJS decided to add a new permanent question on inmate counts by age category, and a temporary special addendum on the coronavirus (COVID-19) pandemic to the 2020 and 2021 SJIC to capture the impact of this public health emergency on tribal jails. In designing the questions, BJS received helpful comments and suggestions from outside experts and jail respondents regarding data availability, question wording and flow, and estimated burden. Prior to April 2020, the SJIC was last revised in 2013. Since then, the survey has been successfully administered and completed without significant difficulty.

Starting in 2021, BJS plans to undertake an assessment of the SJIC to identify gaps in the collection, assess the costs and challenges associated with obtaining data to fill gaps, and develop methodologies for obtaining the data. This assessment will cover all aspects of the annual SJIC, including the content of the survey, modes of administration, communication with the field about the survey, statistical products from the data collection, and dissemination of products. In 2022, BJS plans to conduct a cognitive test of new and revised items to be used in the future SJIC.

#### 5. Contact Information

The Corrections Statistics Unit of BJS takes responsibility for the overall design and management of the activities described in this submission, including data collection procedures, development of the questionnaires, and analysis of the data.

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